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## Manager's Newsletter

Volume VII, Issue 8 – May 7, 2010

The Town of Kitty Hawk's newsletter is authored and prepared by the Town Manager's Office every other Friday and sent electronically to anyone who wants to receive it. Paper copies of the newsletter are available at Town Hall. The newsletter does not present or represent opinions of the Town Council.

### Town Council Members

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Mayor Pro Tempore Gary Perry	(252) 261-5332	<a href="mailto:gperry@kittyhawktown.net">gperry@kittyhawktown.net</a>
Councilman Ervin Bateman	(252) 261-6892	<a href="mailto:info@townofkittyhawk.org">info@townofkittyhawk.org</a>
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### Town Manager

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### Town Attorney

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**Town Council Highlights from May 3<sup>rd</sup> Meeting**

- Council approved a resolution that authorizes the Town Manager and Finance Officer to execute and file applications for federal/state assistance on behalf of the Town.
- Council approved a resolution supporting open public access to Cape Hatteras National Seashore Recreational Area.
- Council Scheduled 5 Public Hearings for June 7, 2010 Council Meeting.
  - Conditional Use Permit to establish a home occupation for Adam's Towing in a Beach Residential zoning district within the existing residence at 3805 Keepers Way.
  - Text Amendment to amend Section 42-251 of the Town Code to permit open air markets as a conditional use in the Beach Commercial district.
  - Conditional Use Permit to establish an open air market at the former Foreman's Lumber property. At full capacity this property would accommodate up to 89 retail vendors on approximately 18,490 square feet of retail space.
  - Conditional Use Permit to establish a veterinary hospital in Unit 9 of the Ocean Plaza shopping center.
  - Conditional Use Permit to establish a produce stand within the existing shed addition on the northern side of the Handee Hugo's gas station.
- Council scheduled a recessed meeting for May 5, 2010 to discuss the FY 2010-2011 budget before it is scheduled for a public hearing on June 7, 2010.
- Council adopted a Code of Ethics policy that established guidelines for ethical standards and to help determine what conduct is appropriate in particular cases.
- Council adopted an amendment to Chapter 24 of the Town Code. This amendment provides regulations for the David Paul Pruitt, Jr. Park in regards to hours of operation, prohibition of dogs and horses, and no overnight parking.

- Council adopted the resolution to allow Town Employees an additional option to participate in a pre-tax savings plan. This is a 457(b) employee only savings plan with no financial obligation from the Town.
- Council approved for the Town to proceed with a discussion on storm drainage study and an agreement with the Department of Transportation to participate in the study with the Town.

## **Town Boards and Committees**

The Town of Kitty Hawk is soliciting applications from citizens interested in serving on town boards and committees: PLANNING BOARD, BOARD OF ADJUSTMENT, and RECREATION COMMITTEE. Please contact the Town Hall for an application form and submit it by June 1, 2010. Lynn Morris, Town Clerk, PO Box 549, Kitty Hawk, NC.

## **Kitty Hawk Fire Department - April 2010**

**Captain J. P. Askew** recently completed a 40-hour class to become certified as a Live Fire Training Specialist in the State of North Carolina. This course is designed to test the instructor's knowledge and practical ability in a live fire setting. Only six fire service instructors can take the class at one time. This course will allow Captain Askew to oversee live fire exercises during the course of the year.

## **Emergency Calls for Service**

During the month of April 2010, there were 37 calls for emergency service. The breakdown is as follows:

Medical calls	27
Vehicle accident with injuries	2
Vehicle accident with no injuries	2
Power line down	1
Accident, potential accident, other	1
Assist invalid	2
Smoke detector activation due to malfunction	1
Dispatched and cancelled enroute	1

## **KHFD Ladies Auxiliary Yard Sale – Saturday, May 29, 2010**

The Kitty Hawk Ladies Auxiliary will be hosting their Annual Yard Sale on Saturday, May 29, 2010, at the Fire Department, beginning at 7 a.m.

Donations of all types of saleable items that are in "good, usable" condition are being accepted now until Friday, May 14. Donations may be dropped off at the Fire Department (859 W. Kitty Hawk Road). If you have large items that need to be picked up, please call

Jac.E Bent at 267-3289 to arrange a time. Tax receipts will be available for donated items—simply estimate the value of your donations!

All proceeds will benefit the Kitty Hawk Fire Department Association. Items that are not sold at the Yard Sale will be donated to the local thrift stores.

**Kitty Hawk Fire Department Association  
2010 Golf Tournament  
Saturday, June 5, 2010**

Shotgun Start Time at 12:00 pm

**Hosted by Duck Woods Golf Course**

50 S. Dogwood Trail, Southern Shores, NC 27949

**Tournament Details:**

The KHFDA Annual Golf Tournament is a Captain's Choice Tournament, limited to 30 teams. The cost per team for the tournament is \$320.00; the price includes golf cart, green fees, and dinner at the completion of the tournament. Awards will be given to the top three teams in the Open Class and the top team made up of all firefighters from the same department.

Registration forms and Tournament Sponsorship forms may be downloaded from our website, [Kittyhawkfd.com](http://Kittyhawkfd.com). Click on [KHFDA Golf](#) to access Open Team, Fire Department Team, and/or Sponsorship registration forms. The forms are also available at the Fire Department.

If you have questions, please contact Bob or Cole at the Kitty Hawk Fire Department (252-261-2666).

**Planning Board Meeting Summary - May 6, 2010**

At its meeting on May 6<sup>th</sup>, the Kitty Hawk Planning Board reviewed an application from a local contractor and business owner proposing to establish standards for small wind turbines. The proposal would permit wind turbines up to a height of 35 feet (same as the maximum height for a house or business in Kitty Hawk), subject to a variety of standards and conditions. Taller wind energy facilities would not be permitted if this text amendment is adopted.

The amendment proposes to allow small wind energy facilities in any zoning district, but controls the potential location of wind energy facilities by establishing minimum setback requirements from property lines and occupied buildings on adjoining lots. Maximum height, setback, appearance, noise, maintenance, emergency shutoff, and removal requirements are intended to improve the compatibility of approved wind energy facilities with the Town's existing character and minimize impacts on neighboring properties.

Planning Director Joe Heard explained that the Planning Board and Town Council had previously developed and reviewed standards for wind turbines of all sizes. However, the Council had ceased its review in the Fall 2009 to consider funding a survey of property owners about wind energy. Heard noted that the Council members had authorized staff to proceed with the survey.

In light of the pending survey, the Planning Board and applicant agreed to defer consideration of the proposed standards for small wind turbines until results of the survey are obtained. The applicant invited anyone who is interested to visit the Waldt Construction office at 8754 Caratoke Highway in Harbinger to observe the type of smaller wind turbine being proposed.

### **Planning Board Meeting Summary - April 22, 2010**

The Kitty Hawk Planning Board reviewed a variety of development projects at its meeting on April 22<sup>nd</sup>. Picking up the discussion of an item from their previous meeting, the Board members first considered the revised wording of a text amendment to permit open air markets as a permitted use in the Beach Commercial (BC-2) district. The proposal submitted by the applicants included a variety of conditions that these uses would have to meet prior to being established. After thorough review of the proposal, the Planning Board voted (3-2) to recommend disapproval of the proposed text amendment. Board members voting against the proposal cited concerns about the consumption of alcohol on site, sale of weapons, open air nature of the activity, noise for adjoining residential properties, potential large scale of the business, impact on existing businesses, and incompatibility of the proposal with the intent of the zoning district and land use plan. Board members voting in favor of the proposed text amendment noted that the amendment could be made more compatible with several changes.

The next item on the agenda was a related request for a conditional use permit to establish an open air market on the site formerly occupied by Foreman's lumberyard at 4100 N. Croatan Highway. After thorough review of the proposed project, the Planning Board voted (3-2) to recommend disapproval of the conditional use permit to Town Council. Board members voting against the proposal cited concerns about outdoor displays in front of the building, width of the walkways under the sheds, parking for vendor trailers, parking between the shed buildings, intensity of the operation, consumption of alcohol on-site, sale of knives, number of vendors, open air nature of the activity, noise for adjoining residential properties, incompatible scale and layout of the business, impact on existing businesses, and incompatibility of the proposal with the intent of the zoning district and land use plan. Board members voting in favor of the proposed project noted that most of the concerns could be addressed through minor changes in the site plan and conditions on the permit.

The Planning Board then considered an application for a conditional use permit to establish a veterinary hospital in Unit 9 of the Ocean Plaza shopping center at 3723 N. Croatan Highway. After review of the proposal, the Planning Board voted unanimously (5-

0) to recommend approval of the proposed conditional use permit to Town Council.

The final item was an application for a conditional use permit to establish a produce stand within the existing shed addition on the northern side of the Handee Hugo's gas station/convenience store at 5361 N. Virginia Dare Trail. After review of the proposal, the Planning Board also voted unanimously (5-0) to recommend approval of the proposed conditional use permit to Town Council.

### **April Building Permit Report**

The Town's Planning and Inspections Department issued thirty nine (39) building permits totaling \$658,332 in April 2010. Eleven (11) commercial permits were issued valued at \$109,472. Twenty Eight (28) residential building permits were issued valued at \$548,860. The full report for April can be viewed at the [Monthly Building Permit Report](#) found on the Town Website.

### **Wonder About the Flashing Yellow Turn Signal?**

The Town office recently received an inquiry about the traffic signal at US 158 and The Woods Road. Apparently the citizen had to wait a couple of cycles to make the left turn from US 158 onto The Woods Road. As a result of the inquiry, the Town officials asked NCDOT to explain the operation of the signal.

According to Jason Davidson, Deputy Division Traffic Engineer for NCDOT, when a vehicle pulls into the left turn lane the signal computer recognizes the vehicle is present. The flashing yellow arrow would be visible when a vehicle first pulls into the left turn lane. If the vehicle cannot turn left on the flashing yellow arrow, the signal computer will bring up a left turn green arrow after the main street and side streets are given a green ball.

If a vehicle happens to move beyond the stop bar in the left turn lane, the signal computer thinks that the vehicle has made the left turn when it has not. In this case, the vehicles may be waiting for a green arrow until another vehicle moves in behind the vehicle that is beyond the stop bar. When getting into the left turn lane, be sure that you are behind the stop bar.

NCDOT says that by having the flashing yellow turn signal, it moves more traffic on US 158 and the side streets because the green arrow is not displayed for each signal cycle and therefore gives more time to US 158 and the side streets.

If you believe that a traffic signal is not working the way it should or have further questions about their operation, you can contact Town Hall for more information.

## Code Enforcement Activities – April 2010

<b><u>CODE VIOLATIONS</u></b>		
<b>Notice of Violations Issued</b>		
Civil Citations Issued		
Land Disturbance Activity		
Public Nuisance	<b>3</b>	
Abandon/Junk Vehicles		
Right of Way Encroachments	<b>6</b>	
Lighting Violations		
Site Plan Violations	<b>3</b>	
No Building Permit	<b>2</b>	
Home Occupations	<b>1</b>	
Signs	<b>24</b>	
Noise Violations	<b>1</b>	
Flood Ordinance		
<b>TOTALS</b>	<b>40</b>	
<b><u>CAMA PERMITS</u></b>		
Minor Permits	<b>1</b>	
Exemption Letters	<b>3</b>	
Beach Push Permits	<b>18</b>	
CAMA Violations Issued		
<b>TOTALS</b>	<b>32</b>	
<b><u>BANNER PERMITS</u></b>		
<b>TOTALS</b>	<b>2</b>	
<b><u>OUTDOOR GATHERING PERMITS</u></b>		
<b>TOTALS</b>	<b>4</b>	
<b><u>FIRE INSPECTIONS</u></b>		
Assembly	<b>1</b>	3 Violations
Business	<b>4</b>	4 Violations
Mercantile	<b>3</b>	2 Violations
Educational		
Residential	<b>2</b>	12 Violations
Industrial		
Manufacturing	<b>1</b>	5 Violations
Hood System		
Storage	<b>7</b>	6 Violations
Sprinkler Systems		
Tent	12	Bike Week
Re-inspections		
First	<b>17</b>	47 Violations Corrected 1 Violation Not Corrected
Second		
Third		
<b>TOTALS</b>	<b>47</b>	

## **Free Mulch for Town of Kitty Hawk Residents**

The Large Item Pick-up and the spring Chipping has been completed. Thanks to all who participated and assisted in keeping the Town clean and pleasing to the eye. The mulch from the chipping service is located at the recycling center, and is free for Kitty Hawk residents. You will need to load yourself. First come first served. Please no contractors.

## **Opportunities to Participate**

### **Town Council Meeting**

Monday, June 7, 2010 at 6 p.m.

### **Planning Board Meeting**

Thursday, June 10, 2010 at 6 p.m.

*(All Meetings to be held at Kitty Hawk Town Hall unless otherwise noted.)*